

AMENDMENTS TO THE CLAIMS

Please make the following amendments to the claims:

1. (Canceled)
2. (Currently Amended) A method of adjusting transmit performance parameters over a digital subscriber line (DSL) comprising the ~~step~~ steps of:
negotiating, with a DSL modem, a value for a first performance parameter;
receiving, from a the DSL modem, a signal exhibiting a the first performance parameter;
determining a signal-to-noise-ratio for the received signal; and
requesting, from the DSL modem, an adjustment in a second performance parameter associated with the received signal, wherein the second performance parameter is different from the first performance parameter.
3. (Currently Amended) The method of claim 2, further comprising the step of:
receiving, from a the DSL modem, a second signal exhibiting the first performance parameter and the adjustment in the second performance parameter.
4. (Previously Presented) The method of claim 2, wherein the second performance parameter is transmit power level.
5. (Previously Presented) The method of claim 2, wherein the second performance parameter is transmit data rate.
6. (Currently Amended) The method of claim 2, ~~further comprising the step of:~~
~~negotiating, with the DSL modem, a value for the first performance parameter; wherein~~
said negotiating step is performed after the receiving step and before the determining step.

7. (Previously Presented) The method of claim 6, wherein said second performance parameter is transmit data rate and said first performance parameter is transmit power level.
8. (Previously Presented) The method of claim 6, wherein said second performance parameter is transmit power level and said first performance parameter is transmit data rate.
9. (Previously Presented) The method of claim 2, further comprising the step of:
selecting the second performance parameter from a plurality of possible performance parameters.
10. (Currently Amended) The method of claim 2, further comprising the step of:
repeating the receiving, determining and requesting steps until the data-rate first performance parameter of the received signal is marginally supported.
11. (Currently Amended) The method of claim 2, further comprising the steps step of:
~~negotiating, with the DSL modem transmitter, a value for the first performance parameter, wherein said negotiating step is performed before the determining step;~~
repeating, using the negotiated value for the first performance parameter, the receiving, determining and requesting steps until the received signal marginally supports the adjustment to the second performance parameter.
12. (Currently Amended) The method of claim 2, ~~further comprising the steps of:~~
~~—receiving, from the DSL modem, a wherein the received signal comprising comprises a plurality of sub-bands, each sub-band transmitted at a transmit power level; and~~
~~—determining a signal-to-noise-ratio for each sub-band in the received signal.~~

13. (Currently Amended) The method of claim 2, ~~further comprising the step of:~~
wherein receiving, from the DSL modem, is over a primary channel and requesting, from the DSL modem, is over a secondary channel, an adjustment in the second performance parameter associated with the received signal.
14. (Currently Amended) A receiving digital subscriber line (DSL) modem receiver comprising:
- means for receiving, from a transmitting DSL modem, a signal exhibiting a first performance parameter;
- means for negotiating, with the transmitting DSL modem, a value for the first performance parameter;
- means for determining a signal-to-noise-ratio for the received signal; and
- means for requesting, from the transmitting DSL modem, an adjustment in a second performance parameter associated with the received signal, wherein the second performance parameter is different from the first performance parameter.
15. (Currently Amended) The receiving DSL modem receiver of claim 14, wherein the second performance parameter is transmit power level.
16. (Currently Amended) The receiving DSL modem receiver of claim 14, wherein the second performance parameter is transmit data rate.
17. (Canceled)
18. (Currently Amended) The receiving DSL modem receiver of claim 17, wherein said second performance parameter is transmit data rate and said first performance parameter is transmit power level.

19. (Currently Amended) The receiving DSL modem receiver of claim 17, wherein said second performance parameter is transmit power level and said first performance parameter is transmit data rate.

20. (Currently Amended) The receiving DSL modem receiver of claim 14, further comprising:

means for selecting the second performance parameter from a plurality of possible performance parameters.

21. (Currently Amended) The receiving DSL modem receiver of claim 14, further comprising:

means for receiving, from the DSL modem, a signal comprising a plurality of sub-bands, each sub-band transmitted at a transmit power level; and

means for determining a signal-to-noise-ratio for each a sub-band in the received signal.

22. (New) A system for adjusting transmit performance parameters over a digital subscriber line (DSL) comprising:

means for negotiating, with a DSL modem, a criteria for a first performance parameter;

means for receiving, from the DSL modem, a signal exhibiting the first performance parameter;

means for determining a signal-to-noise-ratio for the received signal; and

means for requesting, from the DSL modem, an adjustment in a second performance parameter associated with the received signal, wherein the second performance parameter is different from the first performance parameter.

23. (New) The system of claim 22, wherein the means for receiving comprises means for receiving a signal comprising a plurality of sub-bands, each sub-band transmitted at a transmit power level.

24. (New) The system of claim 23, wherein the means for determining comprises means for determining a signal-to-noise-ratio for a sub-band of the received signal.
25. (New) The system of claim 24, wherein the means for requesting comprises means for requesting an adjustment in the second performance parameter associated with the sub-band of the received signal.
26. (New) The method of claim 12, wherein the determining step comprises determining a signal-to-noise-ratio for a sub-band of the received signal.
27. (New) The method of claim 25, wherein the requesting step comprises requesting an adjustment in the second performance parameter associated with the sub-band of the received signal.